

ORIGINAL



0000148797

BEFORE THE ARIZONA CORPORATION COMMISSION

RECEIVED

COMMISSIONERS

BOB STUMP

Chairman

GARY PIERCE

Commissioner

BRENDA BURNS

Commissioner

BOB BURNS

Commissioner

SUSAN BITTER SMITH

Commissioner

2013 OCT -8 P 12:37

ARIZONA CORPORATION COMMISSION
DOCKET CONTROL

Arizona Corporation Commission

DOCKETED

OCT 08 2013

DOCKETED BY

IN THE MATTER OF THE APPLICATION OF)
IONEX COMMUNICATIONS NORTH, INC.)
D/B/A BIRCH COMMUNICATIONS FOR)
APPROVAL OF A CERTIFICATE OF)
CONVENIENCE AND NECESSITY TO)
PROVIDE RESOLD LOCAL EXCHANGE,)
RESOLD LONG DISTANCE, FACILITIES-)
BASED LONG DISTANCE, AND FACILITIES-)
BASED LOCAL EXCHANGE)
TELECOMMUNICATION SERVICES IN)
ARIZONA.)

DOCKET NO. T-03864A-13-0051

**IONEX COMMUNICATIONS
NORTH, INC. NOTICE OF FILING
AFFIDAVIT OF PUBLICATION**

Ionex Communications North, Inc. D/B/A Birch Communications hereby files the attached Affidavit of Publication evidencing the public notice given on September 30, 2013, regarding its application for a Certificate of Convenience and Necessity to provide competitive telecommunications in service in the State of Arizona.

Submitted this 8th day of October 2013.

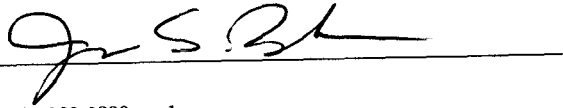
By:

Joan S. Burke
Law Office of Joan S. Burke
1650 North First Avenue
Phoenix, Arizona 85003
Telephone: (602) 535-0396
Joan@jsburkelaw.com

Attorney for Ionex Communications North,
Inc. D/B/A Birch Communications

ORIGINAL and 13 copies of the foregoing
filed this 8th day of October 2013, with:

Docket Control
Arizona Corporation Commission
1200 West Washington Street
Phoenix, Arizona 85007

A handwritten signature in black ink, appearing to read "J. S. Blum", is written over a horizontal line.

4821-7203-0998, v. 1

THE ARIZONA REPUBLIC

IN THE MATTER OF THE APPLICATION OF IONEX COMMUNICATIONS NORTH, INC. d/b/a BIRCH COMMUNICATIONS FOR TRANSWORLD NETWORK, CORP., FOR APPROVAL OF A CERTIFICATE OF CONVENIENCE AND NECESSITY TO PROVIDE RESOLD LOCAL EXCHANGE, RESOLD LONG DISTANCE, FACILITIES-BASED LONG DISTANCE, AND FACILITIES-BASED LOCAL EXCHANGE TELECOMMUNICATION SERVICES (DOCKET NO. T-03864A-13-0051)

On March 5, 2013, Ionex Communications North, d/b/a Birch Communications ("Ionex" or the "Company") filed with the Arizona Corporation Commission ("Commission") an application for approval of a Certificate of Convenience and Necessity ("CC&N") to provide resold local exchange, resold long distance, facilities-based long distance, facilities-based local exchange telecommunication services in Arizona. Ionex's application also requests a determination that its proposed services are competitive in Arizona. The Commission's Utilities Division ("Staff") has recommended approval of Ionex's application, subject to certain conditions. The Commission will issue a Decision following consideration of testimony and evidence presented at an evidentiary hearing. The Commission is not bound by the proposals made by Ionex, Staff, or intervenors. If the Company's application is approved, Ionex will be required to provide services under the rates, charges, terms and conditions established by the Commission. Copies of Ionex's application, the Staff Report, and any written objections to the Staff Report filed by the Company are available during regular business hours at Ionex's counsel's offices 1650 N. First Avenue, Phoenix AZ; and at the Commission's Docket Control Center at 1200 West Washington, Phoenix, Arizona; and on the Internet via the Commission's website (www.azcc.gov) using the e-Docket function.

The Commission will hold a hearing on TNC's application on November 18, 2013, at 10:00 a.m., at the Commission's offices, 1200 West Washington Street, Hearing Room 2, Phoenix, Arizona. Public comments will be taken on the first day of the hearing. Written public comments may be submitted by mailing a letter referencing Docket No. T-03864A-13-0051 to: Arizona Corporation Commission, Consumer Services Section, 1200 West Washington Street, Phoenix, AZ 85007. If you require assistance, you may contact the Consumer Services Section at 1-800-222-7000 or 602-542-4251.

The law provides for an open public hearing at which, under appropriate circumstances, interested parties may intervene. Any person or entity entitled by law to intervene and having a direct and substantial interest in the matter will be permitted to intervene. If you would like to intervene, you must file a written motion to intervene with the Commission, and you must send copies of the motion to TNC or its counsel and to all parties of record in the case. Your motion to intervene must contain the following:

1. The name, address and telephone number of the proposed intervenor and of any person upon whom service of documents is to be made if different from the intervenor;
2. A short statement of the proposed intervenor's interest in the proceeding (e.g., a customer of the Company, a shareholder of the Company, etc.); and
3. A statement certifying that a copy of the motion to intervene has been mailed to the Company or its counsel and to all parties of record in the case.

The granting of motions to intervene shall be governed by A.A.C. R14-3-105, except that all motions to intervene must be filed on or before October 28, 2013. The granting of intervention, among other things, entitles a party to present sworn evidence at the hearing and to cross examine other witnesses. However, failure to intervene will not preclude any interested person or entity from appearing at the hearing and making a statement on their own behalf. All parties must comply with Arizona Supreme Court Rules 31, 38, and 42 and A.R.S. § 40-243 with respect to the practice of law.

The Commission does not discriminate on the basis of disability in admission to its public meetings. Persons with a disability may request a reasonable accommodation such as a sign language interpreter, as well as request this document in an alternative format, by contacting the AGA Coordinator, Shaylin Bernal, at SABernal@azcc.gov, voice phone number 602-542-3031. Requests should be made as early as possible to allow time to arrange the accommodation.

STATE OF ARIZONA
COUNTY OF MARICOPA } SS.

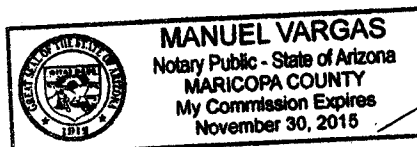
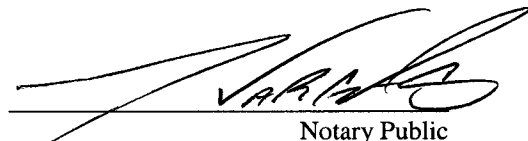
Tabitha Weaver, being first duly sworn, upon oath deposes and says: That she is a legal advertising representative of the Arizona Business Gazette, a newspaper of general circulation in the county of Maricopa, State of Arizona, published at Phoenix, Arizona, by Phoenix Newspapers Inc., which also publishes The Arizona Republic, and that the copy hereto attached is a true copy of the advertisement published in the said paper on the dates as indicated.

The Arizona Republic

September 30, 2013



Sworn to before me this
30th day of
September A.D. 2013

Notary Public